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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MARTINE & PENILLA, LLP
710 LAKEWAY DRIVE
SUITE 170
SUNNYVALE, CA 94085

EXAMINER

SAX, STEVEN PAUL

ART UNIT PAPER NUMBER

2174

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/201,644

Applicant(s)

Pabla

Examiner

Steve Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/10/03
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 7, 8, 11, and 22-37 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 7, 8, 11, and 22-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2174

DETAILED ACTION

1. This application has been examined. The amendment filed 11/10/03 has been entered.

Per applicant request, claims 2, 5-6, 9-10, and 12-21 have been cancelled.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3-4, 7-8, 11, 22-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch et al (5805796) and Ashe et al (6307574) and Guillen et al (5701485).

4. Regarding claim 1, Ashe et al show examining the program code of a screen element of a GUI (column 3 lines 10-20, column 6 lines 10-25) wherein examining is performed upon execution of the GUI (column 5 lines 7-24), and without execution of the class definition (column 5 lines 5-14), and identifying an element if the program code includes a method supporting the element (column 6 lines 5-10 and 34-55). Ashe et al do not specifically state the element is supporting an input device, but does use class definitions to determine support for an element, for analysis and control of the gui system. Furthermore, Finch et al do determine the

Art Unit: 2174

element is supporting an input device (column 5 lines 60-68 and column 6 lines 1-20), in a system using class definitions for analysis and control of a GUI system (column 8 lines 29-45). It would have been obvious to a person with ordinary skill in the art to have Ashe et al determine an element supporting an input device, because it would provide convenient analysis and control of a GUI in a system that uses class definitions for analysis and control of a GUI. In addition, Finch et al and Ashe et al do not go into the details of the superclass class definition being examined if the element is identified as not supporting (the input device), but Ashe et al do mention examining the class for functionality. Furthermore, Guillen et al show examining a superclass class definition if the element is not supporting a functionality (column 2 lines 18-24, 40-55; column 4 lines 38-55; column 5 lines 48-60; column 6 lines 9-19). This is done to efficiently examine a class for functionality. It would have been obvious to a person with ordinary skill in the art to have this in the system described by Ashe et al in view of Finch et al as explained above, because it would be an efficient way to examine a class for functionality.

5. Regarding claim 3, the element is marked if the class definition includes support for the input device (Ashe et al column 5 lines 1-13)

6. Regarding claim 4, Ashe et al show the examination performed during construction of the object instance (column 5 lines 7-23).

Art Unit: 2174

7. Regarding claim 7-8, interface declarations contained in implements clauses are examined (Ashe et al column 5 lines 7-40).

8. Regarding claim 11, in addition to the aforementioned, the system of Finch et al may use JAVA bytecode. It would have been obvious to a person with ordinary skill in the art to use JAVA bytecode, because it would be a convenient language in which to define a screen element. Note though that in view of other features which are absent in claim 11 but may be in other claims, that JAVA bytecode then may in fact offer a combined advantage not set forth in the art of record. But as claim 11 is broad, merely defining a screen element in JAVA is obvious.

9. Claims 22-37 show the same features as above and are rejected for the same reasons.

12. Applicant's arguments filed have been fully considered but they are not persuasive. Applicant's representative is invited to contact Examiner to continue the interview. Not all features expressed in the prior interview are fully incorporated in the presently amended claims. Although there is merit to the changes made, nevertheless the features claimed still are brought out in the art, and the motivation still stands as explained above. Please contact examiner at 703-305-9582.

Art Unit: 2174

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

Art Unit: 2174

(703)872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink is written over a rectangular official stamp. The stamp contains the text "PATENT EXAMINER" in a bold, sans-serif font. The signature is a stylized, cursive-like mark that starts with a large loop and ends with a long, sweeping stroke.